

REMARKS:

Claims 1-10 were pending in this application. Claims 2, and 4-10 have been canceled. Claims 1 and 3 have been amended. Claims 11-23 have been added. Therefore, claims 1, 3, and 11-23 are now pending in this application.

DRAWINGS

The Office Action objects to the drawings as not complying with 37 CFR 1.84(p)(5) because they include "Fig 12" reference that is allegedly not mentioned in the description. Applicant has corrected the Specification to include a specific reference to Figure 12. Applicant respectfully requests removal of the 37 CFR 1.84(p)(5) objection.

USC 112 REJECTION

The Office Action rejects claims 2, 3, 4, and 6 under 35 U.S.C. 112, second paragraph, as being indefinite to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action points out the term "things" being undefined. Applicant has cancelled claims 2, 4, and 6. Furthermore, Applicant has deleted the term "things" from claim 3.

Thus Applicant respectfully requests removal of the 35 U.S.C. 112, second paragraph, rejection of claim 3.

USC 101 REJECTION

The Office Action rejects claims 1-10 as being directed to non-statutory subject matter. Claims 2 and 4-10 have been cancelled. Applicant submits that claims 1 and 3, as amended, overcome the rejection under § 101.

Thus Applicant respectfully requests removal of the 35 U.S.C. 101 rejection of claims 1 and 3.

Section 102 Rejection

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 5,813,009 to Johnson. Applicant traverses this rejection.

As the Examiner is certainly aware, anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). Applicant submits that Johnson does not teach or suggest “receiving a range of date/time instances via a graphical user interface,” “receiving one or more attributes via said graphical user interface,” and “retrieving, from said storage array, one or more records corresponding to said received range of date/time instances and said received one or more attributes, wherein said documents corresponding to said retrieved records are uncorrupted,” as recited in claim 1.

Regarding Johnson, the Office Action states: “only uncorrupted documents enter the system; corrupted documents are filtered out.” *See* Office Action at 7. Applicant disagrees with this characterization of Johnson. First of all, that reference includes no recitation of any form of the words “corrupt” or “uncorrupt,” much less any discussion of “corrupted documents.” Second, while Johnson refers to “an information filter,” that “filter” is described as being for “assuring that record data offered to the system for storage are complete and not redundant.” *See* Abstract. Applicant submits that Johnson does not teach or suggest of “wherein said documents corresponding to said retrieved records are uncorrupted,” as is recited in claim 1.

In sum, claim 1 is believed to be patentably distinct over Johnson, and removal of the U.S.C. 102(e) rejection of claim 1 is therefore requested.

103(a) REJECTION

The Examiner rejected claims 2 and 4-10 under 35 U.S.C. § 103 based on a number of combinations of references. These rejections are believed moot as Applicant has cancelled claims 2 and 4-10.

The Examiner also rejected claim 3 under 35 USC 103(a) as being unpatentable over Johnson in view of US Patent Application 2004/0117361 to Greer. Applicant traverses this rejection.

To establish a *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981 (CCPA 1974); MPEP § 2143.03. Applicant submits that even if there were motivation to combine Johnson and Greer as suggested by the Examiner (Applicant does not concede such motivation), the proposed combination would not teach all of the limitations of amended claim 3. For example, Applicant submits that neither Johnson nor Greer teaches or suggests “an electronic system configured to store a plurality of records, each record including one or more electronic documents and indexed by a unique time/date identifier corresponding to entry of the record into the system,” as is recited in claim 3. Accordingly, a *prima facie* case of obviousness cannot be established for claim 3 based on the proposed combination of Johnson and Greer.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

Removal of the U.S.C. 103 rejection of claim 3 is therefore requested.

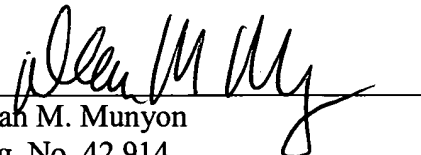
CONCLUSION:

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5957-72402/DMM.

Respectfully submitted,

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